

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

No. M 07-1827 SI

MDL No. 1827

This Order Relates to:

**ORDER SETTING BRIEFING
SCHEDULE ON DISCOVERY DISPUTE**

ALL CASES

The Court has received several letters regarding defendant AU Optronics Corporation's production of an allegedly privileged document to the United States Department of Justice. Because the letter was produced pursuant to a grand jury subpoena rather than in civil discovery in the MDL proceedings, the Court will resolve the dispute in the first instance rather than referring the dispute to Judge Smith. The Court sets the following briefing schedule: (1) AU shall file a motion on August 7, 2009; (2) the DOJ (and any other parties who wish to respond) shall file an opposition on August 14, 2009; (3) AU may file a reply no later than noon on August 19, 2009; and (4) the Court will hold a hearing on the matter on August 21, 2009.¹

IT IS SO ORDERED.

Dated: August 3, 2009



SUSAN ILLSTON
United States District Judge

¹ The Court has also reviewed the letters from Mr. Scarpulla and Mr. Barnhart regarding the adequacy of AU's privilege log. The Court directs the parties to engage in a further meet and confer on this issue, and if the parties are unable to resolve their differences, plaintiffs may file a brief on August 14, 2009 regarding the adequacy of the privilege log/assertions of privilege, and AU may respond by noon on August 19, 2009.